

**In The Matter Of:**

*Otto Bishop*

*vs.*

*The Goodyear Tire & Rubber Co., et al.*

---

*William J. Woehrle*

*September 5, 2014*

---

**MERRILL CORPORATION**

**LegalLink, Inc.**

311 South Wacker Drive  
Suite 300  
Chicago, IL 60606  
Phone: 312.386.2000  
Fax: 312.386.2275

**EXHIBIT**

**B**

|   |   |
|---|---|
| <p style="text-align: right;">174</p> <p>1 Q Okay. And you can't tell me with any relative<br/>2 certainty how fast the motorcycle was traveling<br/>3 over the 600 miles they traveled that day; is<br/>4 that correct?</p> <p>5 A There's no facts in evidence or Answers to<br/>6 Interrogatories that have been submitted that<br/>7 would depart from normal expectations of<br/>8 highway speeds ranging from 45 to 60 miles an<br/>9 hour, for example, that was stated in the<br/>10 Answers to the Interrogatories.</p> <p>11 Q Okay. So you don't have any information as to<br/>12 how fast the motorcycle was traveling during<br/>13 its last trip?</p> <p>14 A The only information I have is what was stated<br/>15 in the response to the Interrogatories, which,<br/>16 as I said, were ranges of 45 to 60 miles an<br/>17 hour.</p> <p>18 Q So is it your position that a tire inflated to<br/>19 20 PSI with a load that's 120 percent of the<br/>20 maximum load, traveling 70 miles an hour over<br/>21 600 miles cannot reach a temperature that this<br/>22 tire reached?</p> <p>23 A Oh, I know it can't. Without -- no rate of<br/>24 error. It will not reach that temperature<br/>25 necessary to melt cords. I know that.</p> | <p style="text-align: right;">176</p> <p>1 A Well, probably the easy way to respond to that<br/>2 is to look at the OSIs in this report, other<br/>3 similar cases. And there's probably more in<br/>4 addition to that but we've got one, two, three,<br/>5 four, five, six, seven, eight, nine, ten, 11,<br/>6 12, 13, 14 listed in this report and there's<br/>7 probably -- I know there's a couple of more<br/>8 that aren't listed. And as I state in each one<br/>9 of those, I'm stating an opinion.</p> <p>10 Q So what is that, Exhibit 80?</p> <p>11 A Is that the number?</p> <p>12 Q Are you looking at your testimony experience?</p> <p>13 A No. I'm looking at the report. What Exhibit<br/>14 number is my report? What number is that?</p> <p>15 Q So in each of these -- in Exhibit 77, starting<br/>16 on Page 12, each of these you have the same<br/>17 defect theory as in our current case; is that<br/>18 correct?</p> <p>19 A I need to find Exhibit 77. I'm not sure.</p> <p>20 Q That's your report. Yeah, I'm sorry, yeah,<br/>21 Exhibit 77 is the report.</p> <p>22 A Yes. Yes. As I state in each one of those 14<br/>23 that I counted up.</p> <p>24 Q Okay. And not all of these include -- not all<br/>25 of the cases that you cite in Exhibit 77</p> |
| <p style="text-align: right;">175</p> <p>1 Q And is that based on your dynamic temperature<br/>2 testing?</p> <p>3 A It's based on the temperature testing that was<br/>4 already captured in this report. It was based<br/>5 on the temperature testing captured in the<br/>6 report for the Clutchev case. And more<br/>7 importantly, it's based on my extensive<br/>8 experience over, like, 25 years I spent with<br/>9 Uniroyal.</p> <p>10 Q How much time of your work do you devote to<br/>11 litigation?</p> <p>12 A Oh, probably 150 percent based on what my wife<br/>13 would say. This is full-time job.<br/><br/>I teach police officers in the<br/>15 State of Michigan, also. And so in terms of my<br/>16 percent of work activity for which I get paid,<br/>17 5 percent or so, not even that amount, but a<br/>18 small amount comes by form of payments from<br/>19 Michigan State University in my role of<br/>20 teaching police officers in the State of<br/>21 Michigan on tires involved in accidents. The<br/>22 remainder is litigation.</p> <p>23 Q Okay. And in how many cases have you advanced<br/>24 similar opinions as what you've set forth in<br/>25 this case?</p>   | <p style="text-align: right;">177</p> <p>1 Q involve MU85; is that true?</p> <p>2 A Not all of them involve an MU85, that's<br/>3 correct.</p> <p>4 Q Okay. Can you go through on Exhibit Number 80,<br/>5 which is your testimony experience, and<br/>6 highlight which of these cases you advance a<br/>7 similar opinion as you have in this case?</p> <p>8 A If by similar opinion you mean a run soft<br/>9 failure in a motorcycle tire that's explained<br/>10 by defects in the bead, I can highlight that,<br/>11 yes.</p> <p>12 Q Yes, please.</p> <p>13 MR. EDWARDS: Patrick, can I ask<br/>14 you how much longer you think you've got?</p> <p>15 MR. PUGH: Yeah. No, I have no<br/>16 more than a minute or two. I'm pretty much<br/>17 done here.</p> <p>18 MR. EDWARDS: Okay.</p> <p>19 THE WITNESS: Okay. I've done<br/>20 it.</p> <p>21 BY MR. PUGH:</p> <p>22 Q Okay. I just have one -- a couple of quick<br/>23 questions.</p> <p>24 In Exhibit 80 on the first page,<br/>25 it looks like you -- I'll start with the DeLara</p>  |